

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

HELPING HANDS SUPPORT  
SERVICES, et al.,

Plaintiffs,

v.

DESTINY 508, et al.,

Defendants.

CASE NO. 3:24-cv-5566-BHS

ORDER

THIS MATTER is before the Court on plaintiff Helping Hands Support Services (HHSS)'s motion for reconsideration, Dkt. 39, of the Court's dismissal of its state law claims and claims against six out of state defendants, Dkt. 38.

**I. BACKGROUND**

The Court dismissed HHSS's breach of contract, tortious interference, trade secret misappropriation, and unjust enrichment claims, concluding that because HHSS failed to meet basic threshold requirements for these claims, amendment would be futile. Dkt. 38 at 19. It dismissed all claims against the out of state defendants, holding that attending board meetings or otherwise simply being associated with Destiny 508 was insufficient

1 for personal jurisdiction. *Id.* at 17–18. Finally, the Court dismissed, without prejudice and  
 2 with leave to amend, four of the copyright claims (counts 1, 2, 4, and 7). *Id.* at 18.  
 3 HHSS’s three other copyright claims (counts 3, 5, 6) remain. *Id.*

4 HHSS’s motion for reconsideration seeks leave to amend the four state law claims  
 5 and asks to conduct limited discovery into the activities of the out of state defendants.  
 6 Dkt. 39. It does not seek reconsideration of the Court’s Order as to the copyright claims.  
 7 *Id.* at 7. Defendants oppose the motion. Dkt. 45.<sup>1</sup>

## 8 II. DISCUSSION

9 Under this District’s local rules, motions for reconsideration are disfavored and  
 10 will ordinarily be denied absent a showing of (a) manifest error in the ruling, or (b) facts  
 11 or legal authority which could not have been brought to the Court’s attention earlier with  
 12 reasonable diligence. Local Rules, W.D. Wash., LCR 7(h)(1). The term “manifest error”  
 13 is “[a]n error that is plain and indisputable, and that amounts to a complete disregard of  
 14 the controlling law or the credible evidence in the record.” *Black’s Law Dictionary* 622  
 15 (9th ed. 2009).

16 Reconsideration is an “extraordinary remedy, to be used sparingly in the interests  
 17 of finality and conservation of judicial resources.” *Kona Enters., Inc. v. Est. of Bishop*,  
 18 229 F.3d 877, 890 (9th Cir. 2000). “[A] motion for reconsideration should not be granted,  
 19 absent highly unusual circumstances, unless the district court is presented with newly  
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21 <sup>1</sup> HHSS objects to the length of Defendants’ opposition brief. Dkt. 46. Because the  
 22 opposition brief is significantly longer than what is allowed by the Local Rules, the Court  
 declines to consider more than its first six pages. LCR 7(e)(6).

1 discovered evidence, committed clear error, or if there is an intervening change in the  
2 controlling law.” *Marlyn Nutraceuticals, Inc. v. Mucos Pharma GmbH & Co.*, 571 F.3d  
3 873, 880 (9th Cir. 2009). Mere disagreement with a previous order is an insufficient basis  
4 for reconsideration, and reconsideration may not be based on evidence and legal  
5 arguments that could have been presented at the time of the challenged decision. *Haw.*  
6 *Stevedores, Inc. v. HT & T Co.*, 363 F. Supp. 2d 1253, 1269 (D. Haw. 2005). “Whether or  
7 not to grant reconsideration is committed to the sound discretion of the court.” *Navajo*  
8 *Nation v. Confederated Tribes & Bands of the Yakama Indian Nation*, 331 F.3d 1041,  
9 1046 (9th Cir. 2003).

10 HHSS asks for leave to amend because the state law claims “could easily be  
11 amended to allege . . . sufficient facts to . . . avoid preemption by the copyright  
12 infringement claims.” Dkt. 39 at 2–3. It proposes clarifying that defendant Tamara  
13 Engwall wrongfully shared HHSS’s “proprietary know-how.” Dkt. 39 at 4–6.

14 HHSS’s proposed amendments are futile. The complaint itself makes clear that  
15 HHSS’s purported “know-how” relates to “particular methods developed by HHSS for  
16 establishing non-profit organizations under IRS code section 508(c)(1)(a). Dkt. 1 at 7. As  
17 the Court held in its Order, registering and maintaining an organization under the tax  
18 code is generally and publicly known, and cannot comprise protected “know-how.” Dkt.  
19 38 at 12–13. Moreover, regarding its tortious interference claim, it provides no  
20 contractual support for its claim that HHSS had a business expectancy that Engwall  
21 would continually refer customers to it. Dkt. 39 at 5. There are no factual allegations that  
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1 could possibly cure the deficiencies of all four state law claims. *Cook, Perkiss & Liehe v.*  
2 *N. Cal. Collection Serv.*, 911 F.2d 242, 247 (9th Cir. 1990).

3 HHSS also seeks to conduct limited discovery into the out of state defendants to  
4 determine whether their “participation on the board and in operation of the business . . .  
5 was truly passive.” Dkt. 39 at 6–7.

6 The Court declines to grant jurisdictional discovery here. HHSS provides no new  
7 relevant facts that would support the Court’s exercise of personal jurisdiction over these  
8 defendants. A “mere hunch that discovery might yield jurisdictionally relevant facts, or  
9 bare allegations in the face of specific denials, are insufficient reasons for a court to grant  
10 jurisdictional discovery.” *Yamashita v. LG Chem, Ltd.*, 62 F.4th 496, 507 (9th Cir. 2023)  
11 (internal quotation marks omitted).

12 HHSS does not persuasively show the Court’s Order, Dkt. 38, is erroneous, nor  
13 does it raise any factual or legal developments that warrant reconsideration. LCR 7(h)(1).

14 HHSS’s motion for reconsideration, Dkt. 39, is **DENIED**.

15 **IT IS SO ORDERED.**

16 Dated this 8th day of April, 2025.

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19 BENJAMIN H. SETTLE  
20 United States District Judge  
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